

REMARKS

Claims 1-11, all the claims pending in the application, stand rejected. Applicant has amended claims 1 and 5.

Claim Rejection - 35 U.S.C. § 102

Claims 1, 2, 5, 6 and 8-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by the newly cited reference to Griswold, Jr. (2,937,043). This rejection is traversed for at least the following reasons based upon the amendment to the claims.

Griswold concerns a vehicle having front and rear doors that close together over a single common opening. The doors include a striker mechanism, as illustrated in Figs. 2 and 3 wherein a striker bolt 128 that is biased by a spring 140 and disposed on a front door 22 is moveable into and out of a catcher 154 that is disposed on a rear door 24. As described at col. 4, lines 39-62, the bolt has a blunt chiseled pointed nose and fixed into the striker block 154 by wedging engagement into a V-shaped striker opening. No other arrangement for the bolt and catcher are disclosed. The operation of the door opening and closing mechanism, including the striker, is explained in great detail in the patent since the mechanism for opening, closing and latching the doors is purely mechanical and has complex interrelated structures.

Notably, the present invention concerns a striker that is moved by an electro-mechanical striker actuator 50 inside the rear door 3, as explained at page 10 of the present application. An important feature concerns the shapes of the striker and catcher, as illustrated in Figs. 3 and 4. As disclosed at page 11, a concern is with a crash against the side of the doors. As illustrated in Figs. 4 and 9, striker 42 is configured with an enlarged head 42a that is sized to enter a hole 19 in the catcher where the doors are in alignment, but will engage the sides of the catcher if there is any lateral displacement. The hole 3 has engagement portions 20 for such purpose while the hole 19 in Fig. 8 is simply sized to catch the edge of the head 42a of the striker if there is any lateral misalignment. A further discussion of this feature is provided at page 12 as well.

This feature clearly distinguishes over the teachings of Griswold, which merely includes a V-shaped striker and comparably shaped catcher. Clearly, this shape and arrangement does not provide the security desired against a side crash. Thus, the claims as amended to include this feature would be patentable over Griswold alone.

Claim Rejections - 35 U.S.C. § 103

Claims 1-3, 5, 6 and 8-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Heldt et al (5,752,737) in view of Griswold, Jr. (2,937,043). This rejection is traversed for at least the following reasons.

The patent to Heldt et al was cited in the first Office Action and readily distinguished because Heldt et al does not disclose a moveable striker. The Examiner looks to Griswold, Jr. for such teaching. The Examiner asserts that Griswold may be substituted for the striker in Heldt et al, on the basis of the knowledge of one skilled in the art. It may be difficult to overcome this assertion. The Examiner also looks to Heldt et al for a door latch mechanism 90 including an upper mechanism 52 and a lower latch mechanism 78 for locking doors in a closed position.

Nonetheless, on the basis of the amendments to claims 1 and 5, the combination of Heldt et al and Griswold would not render the invention unpatentable. Heldt et al does not disclose the striker and catcher configuration as claimed.

Claims 4 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Griswold, Jr. (2,937,043). This rejection is traversed for at least the following reasons.

The Examiner admits that Griswold, Jr. does not disclose a child safety lever on the rear door to prevent opening of the rear door from inside the vehicle. Patentability of these claims would depend upon the amendments made to claims 1 and 5.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 CFR 1.111
U.S. Application No. 10/820,807

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

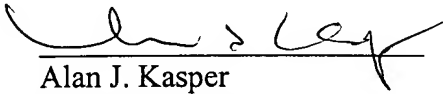
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